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Monthly report of the Secretary-General on Darfur

I. Introduction

1. The present report is submitted pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004), paragraph 17 of resolution 1574 (2004) and paragraph 12 of resolution 1590 (2005).

II. Insecurity in Darfur

2. My visit to Darfur during the month of May 2005 was my first to that region in nearly a year. During the visit, it was clear to me that the security situation had improved. The overall level of violence, especially against civilians, was lower than during much of 2004. In a monthly context, however, the trends are not entirely positive. For example, the month of May witnessed an increase in the level of violence and insecurity as compared to April. This was evidenced in clashes between the Government and the rebel movements, banditry, livestock thefts and the harassment of civilians and relief workers. Moreover, there were continued instances of attacks on civilians and rapes.

3. In contrast to April, fighting between the Government and the Sudanese Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) was reported throughout the month of May, but the frequency of clashes increased in the second half of the month. In most cases, Government forces were on the defensive as the rebel movements conducted small-scale attacks against Government convoys or small units of army or police personnel. Of the two movements, it appeared that SLA was more often the instigator of the clashes.

4. Pro-Government militia remained active in all three Darfur states during May. While they did not launch a large-scale attack on any village, such as last month's sacking of Khor Abeche in Southern Darfur, militia members continued to attack and harass civilian populations. Small-scale assaults against villages and farms were the most common operations, and rapes of women by militia continue to be reported. There are indications, however, that the number of rapes saw a modest decrease in May due, in large part, to the increased presence of soldiers and police from the African Union Mission in the Sudan (AMIS) in and around camps for internally displaced persons.

5. Reports were also received during the period under review of Government forces operating in the same areas and at the same time as militia forces, apparently

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in pursuit of common objectives. In this regard, I must reiterate my call to the Government to disarm such tribal militia forces, as demanded by the Security Council in its resolution 1556 (2004) and subsequent resolutions. As we have seen in past months, the Government is capable of acting against the militia, especially in cases of livestock theft and other criminal acts. In order to provide the level of security that is so desperately needed in Darfur, however, the Government must move against the militia as a matter of course in all circumstances, whether their activities are criminal or military in nature, with a view to the eventual disarmament and demobilization of the militia.

6. Not only were the rebel movements more active militarily against Government forces, but both SLA and JEM attacked villages and other civilian targets. Additionally, both movements are repositioning their forces to new locations that are off limits under the terms of either the ceasefire or other ad hoc agreements. Most recently, JEM reoccupied the town of Gereida in Southern Darfur on 29 May, despite the agreement reached in February among the Government, the rebel movements and AMIS that all combatants would vacate Gereida and three other towns. Rebel movements were also increasingly obstructionist in May towards relief workers and AMIS. SLA, in particular, was involved in a number of incidents that delayed or diverted the passage of humanitarian supplies or personnel. Those incidents included the detention on 10 May of 18 members of an AMIS team for more than 24 hours by an SLA force, on the grounds that the team was engaged in espionage, before the team members were released unharmed.

7. Banditry continued to plague Darfur in May, and there are indications that those criminal acts are increasingly being committed by rebel and militia fighters, in addition to common criminals acting without a political agenda. Banditry threatens all commercial and humanitarian traffic in Darfur. The Government informed AMIS on 26 May of its intention to clear bandits by force from the Tawilla-Kebkabiya road in Northern Darfur if the attacks on vehicles did not cease. While recognizing the responsibility of the Government to maintain security along its roads, I urge it to refrain from relying on the same disproportionate tactics it employed in similar operations in late 2004 that had dire consequences for the local civilian populations.

8. The border region between Chad and Western Darfur remained a cause for concern in May, as the usual cross-border tensions were exacerbated by the traditional migration of livestock herds to grazing lands in the Sudan. The migration of nomadic groups and their herds has increased the burden on an already fragile security and economic environment and has heightened competition with local tribes, internally displaced persons and armed groups for access to scarce water supplies and grazing lands. The many small-scale clashes and acts of banditry that were reported in May underscore the increasing volatility in this region and other parts of Darfur where nomads compete with farmers for access to land and other resources. A positive development is that contrary to last year, discussions have started at various levels concerning policies to mitigate the potential conflicts resulting from this competition.

III. Humanitarian assistance and protection of civilians

9. The violence and criminal activity that took place in May had an adverse effect on humanitarian operations, temporarily limiting access to specific areas. The growing insecurity in certain areas, coupled with the onset of the rainy season, will only make the delivery of humanitarian aid that much more difficult.

10. The Jebel Marra area is becoming increasingly inaccessible to relief operations, as insecurity and the rains make road travel to most localities in rebel-held areas in this region unsafe. Helicopters are the only means to ensure access, with obvious implications for the effectiveness and cost of providing assistance to the population in need. In the Eastern Jebel Marra area (Southern Darfur), nomadic tribal militia are present in large numbers and continue to patrol the abandoned villages of Abu Jabra and Tege. This group accepted responsibility for shooting at humanitarian personnel in early May. Access by road is still possible in Government-controlled areas of Jebel Marra, despite some sporadic incidents.

11. In Northern Darfur, SLA ambushed several convoys and vehicles belonging to or engaged by humanitarian organizations along the Kabkabiya-El Fasher road. The United Nations and non-governmental organizations have subsequently engaged in discussions among themselves to re-emphasize operational principles and to improve procedures for notifying the parties of the movements of humanitarian actors.

12. During the reporting period, continued insecurity and banditry on the Ed Daein-Nyala road (Southern Darfur) seriously hampered access for humanitarian relief operations. Trucks belonging to the World Food Programme (WFP) were looted regularly by armed bandits on this road during the beginning of May, and two drivers were murdered on 8 May. In addition, during the reporting period, five non-governmental organization staff members were abducted and held for three hours by suspected SLA elements in Sanamanaga in Southern Darfur.

13. The number of persons affected by conflict and drought is still above 2.5 million, including nearly 1.9 million internally displaced persons. Aid workers in the region now number 11,500, including over 950 international staff. The international humanitarian presence has reached more than 20 locations outside the three state capitals. This coverage needs to be further consolidated and expanded if assistance and protection needs are to be addressed consistently. In April, WFP provided 30,000 tons of food supplies to 1.6 million affected people. The number of affected populations that received sustained humanitarian assistance in the life-saving sectors of food, water, sanitation, shelter, non-food items and health services has remained steady since the beginning of 2005 at roughly 60 to 75 per cent.

14. Humanitarian aid agencies continue to experience harassment by some Government authorities, especially in Kalma camp, where some Humanitarian Aid Commission representatives actively tried to limit contact between non-governmental organizations and internally displaced persons. Non-governmental organizations providing medical and other support to victims of sexual violence have proven especially vulnerable, as have non-governmental organizations perceived to be carrying out general protection of civilian activities. The authorities in Southern Darfur claim that "protection activities" constitute inappropriate political interference. Of particular concern is the filing of arbitrary and unsubstantiated charges against humanitarian workers, as well as arbitrary arrests

and detentions, such as the recent brief detention of two officials of Médecins Sans Frontières-Holland for reasons related to their organization's publication of a report on the incidence of rape in Darfur. The issue of harassment of non-governmental organizations was addressed in the last two meetings of the Subcommittee of the Joint Implementation Mechanism on Human Rights and Protection, held on 11 and 29 May. At the first meeting, the Government and the United Nations agreed to a joint mission to look into the issue.

15. The harassment of sheikhs and internally displaced persons following private meetings with high-level delegations and staff of the United Nations Mission in the Sudan (UNMIS) has also continued. During my visit to the Kalma camp on 28 May, I pressed local officials to ensure that this type of harassment and intimidation would be brought to an end. The authorities who accompanied me assured me publicly that this would indeed be the case. The Mission will actively monitor this issue.

16. As in April, May did not witness a significant improvement in the protection situation in Darfur. Reports of sexual violence against girls continue. Over the past month, 13 such attacks have been investigated by the authorities. A particularly disturbing series of reports has highlighted the selection of the youngest in a group of women for sexual attack. Police and prosecutors have acted on the most egregious cases of child rape, but many cases remain uninvestigated. Children are sometimes abducted for short periods of time, often in the course of a sexual attack, and are then released. Reports of children abducted for longer periods that came to my attention in May indicated that they were being forced into labour.

17. Violence in and around the Kalma camp came to a head during incidents on 20 and 21 May resulting in injuries to six internally displaced persons and three police officers. The camp was sealed off to the humanitarian community and was reopened on 22 May. Following those incidents, AMIS established a permanent presence in the camp. Thirty mobile police stations have been acquired by Norway for use by the African Union (AU) police and will be deployed in some 30 camps and internally displaced person concentrations by the end of June. The establishment of an AU presence in 35 more camps and internally displaced person concentrations is planned by the end of September, funding permitting.

18. Humanitarian assistance resumed in Khor Abeche after AU established a presence there following the attack and destruction of the village by militia on 7 April. In the second half of May, WFP and World Vision delivered food to 4,500 people, with non-food items to be delivered soon.

IV. Human rights

19. At the end of May, the human rights component of UNMIS consisted of 41 human rights officers, including 11 United Nations Volunteers. Three regional offices, in Nyala, El Geneina and El Fasher, are operational, and a fourth office in Zalingei is expected to open in early June. By the end of June 2005, the total deployment of human rights officers in Darfur will be 65, including 18 United Nations Volunteers.

20. In cooperation with police and other officials, human rights officers in Darfur are following Government actions regarding the protection of human rights and

ending impunity. The Government has taken some steps to investigate human rights violations and, in particular, acts of sexual violence. It has also intensified its activities in arresting perpetrators. This is a welcome result of the Government's efforts to foster tribal reconciliation, in particular in Southern Darfur. However, the Government has not taken sufficient action to end impunity. A combined range of practical, legal and procedural factors perpetuates and reinforces a climate of impunity in Darfur. Unless these factors are addressed, human rights violations will continue. The need to tackle the root causes of impunity requires intervention at every level of government, extensive legislative review and amendment and the creation of effective mechanisms and procedures to monitor the actions of the authorities.

21. The United Nations is engaging the Government in an effort to encourage it to take these measures. The Subcommittee of the Joint Implementation Mechanism held meetings on 11 and 29 May in Khartoum, bringing together representatives of UNMIS, the international community and the Government. Substantive discussions took place on specific deficiencies in the Government's policies regarding human rights protection, in particular on sexual and gender-based violence. It was agreed to continue to work jointly in a cooperative and action-oriented fashion, including the provision of technical assistance to strengthen the capacity of local authorities. On 29 May, the Government agreed to work with UNMIS to draft jointly written clarifications on Government regulations so as to enhance the protection and avoid the revictimization of survivors of sexual violence. The Government also agreed to cooperate on granting access to detention centres and on identifying mechanisms to avoid forced relocation. The Government also put forward some suggestions for technical cooperation.

V. Darfur peace process

22. The African Union announced that the next round of peace talks would be held in Abuja on 10 June. The Chairman of the AU Commission, Alpha Oumar Konaré, also announced the appointment of a senior mediator, Salim A. Salim, as the AU Special Envoy for the Inter-Sudanese Peace Talks on Darfur.

23. JEM announced its intention to attend the talks, and I have received reports indicating that SLM/A is also planning to attend. Attendance at a high level by all parties will be important to ensure that decisions taken in Abuja are implemented. As in previous sessions, the United Nations will be present in Abuja and will provide the parties and the AU mediation team with the support and assistance they request in order to facilitate the negotiations.

24. The success of the next round of talks will be crucial for the future of the Darfur political process. In July, the executive and legislative structures of the new Government of the Sudan, the Government of National Unity, are expected to be in place. A new political reality is emerging in the Sudan, which emphasizes the politics of inclusion. It is of utmost importance that Darfur be a part of this process. The next round of talks in Abuja will offer the parties a good opportunity to ensure that Darfur is included in these developments.

25. In the consultations I had in Khartoum a few days ago, the Sudanese leaders assured me that the Naivasha Agreement would serve as the model and framework for an agreement in Darfur, with arrangements for power and wealth-sharing, a land

commission and a reconciliation process. It is important now that the armed movements go to Abuja with a clear and coherent vision for a political agreement and a mandate from their supporters to negotiate a lasting and binding settlement. The AU draft framework agreement, which has been communicated to the parties in the past months, offers a good basis for a constructive and speedy agreement.

26. The political talks in Abuja should be delinked from security matters, which are addressed through the ceasefire agreement bodies and AMIS. However, an improved security situation on the ground would create an environment conducive to the holding of negotiations and would help in building trust among the parties regarding their commitment to peace. The Security Council, in its resolution 1591 (2005), has created a mechanism for addressing violations of the ceasefire and other commitments made regarding Darfur. This mechanism is a powerful tool that should deter the parties from committing such violations, especially in the lead-up to and during the talks in Abuja. The ongoing strengthening of AMIS on the ground, with the generous help of the international community, should also contribute to improving the security situation and, indirectly, to the success of talks in Abuja.

VI. African Union Mission in Sudan

27. The African Union Mission in Sudan had reached a total strength of 2,674 personnel as at 31 May. The force is composed of 1,732 force protection troops, 451 military observers, 460 civilian police and 31 international and Ceasefire Commission staff. This figure represents a gap of 646 between the Mission's deployed strength and that which was authorized in October 2004. The gap is due mainly to persistent challenges in deploying the full complement of civilian police officers (only 460 out of a mandated 815), but efforts to close the gap continue.

28. The African Union's decision in April to expand AMIS has received significant support among international donors. On 26 May, at AU Headquarters, Commission Chairman Konaré and I co-chaired a pledging conference to support the expansion of AMIS. I was pleased that Governments pledged more than US$ 291 million for this cause, a sum which should be sufficient to launch the next phase of the AMIS expansion.

29. The United Nations and the African Union have increased cooperation and coordination on operational issues related to AMIS. The key proposals contained in my report of 3 May to the Security Council on United Nations assistance to AMIS (S/2005/285) were well received by the AU, and most of them have been initiated. For example, a team from the Department of Peacekeeping Operations was sent to AU headquarters from 7 to 26 May to assist AU planners with the concept of operations for the expanded AMIS. The United Nations assistance cell to the AU, which was also fully involved in these activities, provided follow-up assistance after 26 May.

30. The importance of supporting the AU to deploy more soldiers and police to Darfur was highlighted by an AMIS success in the month of May. In the aftermath of the militia attack on Khor Abeche in April, AMIS established a permanent military observer group site in the town comprising 18 military observers and a protection force of 70 soldiers. The deployment has restored stability to what was a very volatile area of Southern Darfur and has enabled more than 2,000 residents to return to a badly damaged village to start the arduous rebuilding process.

VII. Observations

31. The announcement that the Darfur peace talks would resume in Abuja on 10 June was welcome news. After a delay of more than five months, the parties must make the most of this opportunity. To that end, the international community must encourage both sides to come to the negotiating table with serious proposals and the authority to make and implement decisions.

32. The positive news on the political front has been tempered, however, by the relative upswing in violence in all three Darfur states as compared to April. The rebel movements in particular must take responsibility for their actions over the past month. The imminent resumption of the talks and the upswing in violence may be linked. We have seen similar patterns in the past, when the parties increased the tempo of their offensive operations on the eve of a new round of political negotiations with a view to gaining a tactical advantage that can be leveraged at the negotiating table. Regardless of the rationale behind these operations, their impact on the lives of civilians is deplorable. Moreover, the violence contributes to an air of suspicion and mutual mistrust, which has made negotiations more difficult in the past. I call upon all parties to refrain from launching offensive military operations in the lead-up to the Abuja talks. They cannot allow their actions on the ground to undermine the chances of a political settlement at long last.

33. For its part, the Government must commence an effective programme of disarmament and demobilization of the tribal militias that continue to terrorize the civilian population of Darfur. As the present report makes clear, while there have been improvements in some areas, militia activity remains a serious threat to civilians, by either forcing people from their homes and preventing those who have already been chased away from returning or harassing people who are confined to camps for internally displaced persons. This must stop. If it does not, and the militias remain at large and go unpunished for their crimes, the culture of impunity that has taken hold in Darfur will become a critical obstacle to any reconciliation process and could undermine any agreement that the parties may reach.